

REMARKS

This is a response to the Office Action mailed May 17, 2005. Claims 1-6 are pending. Claims 1-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nicoli et al., U.S. Patent No. 6,037,543. Applicants respectfully traverse the Examiner's rejection. Reconsideration is requested for at least the following reasons.

Claim 1 concerns a method of assembling a cable routing system including the step of providing a base element having a mating edge on opposite sides. The mating edges have a continuous cross-section along the length of each mating edge.

An advantage of having a continuous cross-section along each mating edge as provided in the recited base element is that the base element can be formed using an extruding process, which can be more efficient and less expensive than other manufacturing processes. Another advantage is that side elements are matable to the side edge without regard to aligning and mating discrete structures to one another.

Nicoli discloses a fitting 10 with a base 30 and integral sidewalls 34 extending from base 30. Nicoli, col. 3, ll. 13-15; Fig. 2. Holes 40 are formed in an edge of base 30 to receive engagement protrusions 56 of a divider insert 44 to couple insert 44 to base 30. Col. 4, ll. 9-16. In addition, hooks 38 are formed in an edge of base 30 to interlock with lips 26 formed in a cover 18 to prevent cover 18 from becoming disengaged from base 30. Col. 3, ll. 24-32.

Nicoli fails to disclose or suggest that base 30 includes mating edges having a continuous cross-section along the length of each mating edge, as recited by claim 1. For example, Nicoli discloses that the edges of base 30 include holes 40 and hooks 38. Holes 40 and hooks 38 make the edges of base 30 non-continuous along the cross-section of the edges of base 30.

Claim 1 also recites mounting a plurality of side elements to the base element along the mating edges.

Nicoli discloses perpendicular sidewalls 34 that are integrally formed with base 30. The Action states that it would have been obvious to construct the base disclosed by Nicoli in various elements because constructing a formally integral structure into various elements involves only routine skill in the art. It is respectfully suggested that it would not have been obvious to one skilled in the art at the time of invention to modify Nicoli as suggested in the Action, and it is respectfully suggested that such a modification is based on impermissible hindsight. MPEP 2145(X)(A).

For example, there is no express or implied motivation to remove integral sidewalls 34 from base 30. Further, even if sidewalls 34 are removed, there is no suggestion as to how such sidewalls could be mounted to base 30. Without sidewalls 34, fitting 10 cannot perform its intended purpose, i.e., routing of wires through channels. It is therefore suggested that one skilled in the art at the time of invention would not have been motivated to modify fitting 10 disclosed by Nicoli as suggested in the Action.

Reconsideration and allowance of independent claim 1 and dependent claim 2 are respectfully requested for at least these reasons.

Claim 3 recites a method of assembling a cable routing system including providing a base element with first and second sides, the sides having a continuous cross-section along the length of each side. Claim 3 also recites mounting selected mating elements to the base element along the sides.

Independent claim 3 and dependent claim 4 are therefore patentably distinguished from Nicoli for at least reasons similar to those provided above. Reconsideration and allowance are respectfully requested.

Independent claim 5 concerns a method of assembling a cable routing system including providing a plurality of base elements, each base element having a continuous cross-section in a direction parallel to opposite sides of the element. Claim 5 also recites mounting a plurality of side elements to the base along the opposite sides of the base elements.

Independent claim 5 and dependent claim 6 are therefore patentably distinguished from Nicoli for at least reasons similar to those provided above. Reconsideration and allowance are respectfully requested.

Favorable reconsideration in the form of a Notice of Allowance is earnestly solicited. If a telephone conference would be helpful in resolving any issue, the Examiner is urged to contact the undersigned at the telephone number noted.

Respectfully submitted,

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